Case 1-17-44157-ess Filed 04/05/18 Doc 52 Entered 04/05/18 13:42:29

## U.S. BANKRUPTCY COURT STERN DISTRICT

Eastern District of New York

2018 APR -5 P 1: 25

RECEIVED In Re:

Case No.: 1-17-44157-ess

SEAN M. MURRAY

Chapter: 7 Judge: Elizabeth S. Stong

## REPLY TO AFFIRMATION SEEKING ADJOURNMENT OF ENTRY OF ORDER TO SHOW CAUSE

SEAN M. MURRAY, Debtor Pro Se, submits the following in reply to the AFFIRMATION SEEKING ADJOURNMENT OF ENTRY OF ORDER TO SHOW CAUSE filed by Specialized Loan Servicing LLC, (hereinafter "SLS"):

- 1. Debtor has sustained significant damages in relation to the February 13, 2018 Notice of Sale issued by GROSS POLOWY LLC ("GP") on behalf of SLS and NATIONSTAR MORTGAGE LLC ("Nationstar") on account of harassment from predatory third party calls, mailings and other interest in the unit resulting from legal advertising of the scheduled auction and the time, trouble, pain and suffering involved in attempting to inform oneself about proceeding pro se on short notice in a complicated legal situation, and determining what steps to take urgently in relief.
- Having two different parties attempting to foreclose on a property with a debt that was paid in full before the Bankruptcy petition was filed, according to the bank's correspondence with the New York Department of Financial Services (Attached as Exhibit 1a-d), and with a successor servicer attempting foreclosure while the property is subject to the Bankruptcy Court's Loss Mitigation Program with the former servicer, before the first scheduled Loss Mitigation hearing, is conduct so desperate and egregious in nature that any reasonable person would suffer significant emotional harm as a result.
- 3. SLS, by and through their Attorneys GP, attempted to collect a discharged and paid in full debt with their February 13, 2018 Notice of Sale (attached as an exhibit to the March 20, 2018 Motion for Sanctions and Application for Order to Show Cause at docket no. 43), also threatening to auction property subject to the Order Directing Loss Mitigation dated February 23, 2018 (docket no. 34).
- The Order Directing Loss Mitigation was issued after Nationstar requested adjournment of the January 30, 2018 hearing on their December 13, 2017 Motion for Relief from Stay (docket no. 26), on account of the Debtor's Request to Enter Loss Mitigation dated January 22, 2018 (docket no. 30).

- 5. SLS claims transfer of servicing from Nationstar of the subject loan occurred December 18, 2017. Nationstar's Motion for Relief from Stay is dated December 13, 2017. Nationstar attended the January 30, 2018 hearing on their motion as real party in interest without mention or giving notice to the Court or the Debtor of the December 18, 2018 transfer of servicing. Nationstar appeared through Counsel prepared to argue the errors in the motion regarding the Debtor's equity in the unit, as alleged in the January 22, 2018 Objection to Motion for Relief (docket no. 31), until Judge Stong notified Counsel of the Debtor's Request for Loss Mitigation (docket no. 30). Counsel then moved for adjournment of the Relief from Stay hearing for the April 5, 2018 3pm Loss Mitigation hearing.
- 6. Whereas GP represented Nationstar in the foreclosure attempt prior to the Debtor's filing of the Bankruptcy Court petition, and were made aware of the petition at the time of filing with Nationstar's counsel filing a Notice of Appearance August 24, 2017, their actions and conduct are willful and were taken with full knowledge of the Bankruptcy Court Order regarding Loss Mitigation, the Automatic Stay, the Discharge Injunction and pending hearing on Loss Mitigation scheduled for April 5, 2018, when they issued the Public Auction Notice of Sale.
- 7. GP issued the Notice of Sale on behalf of SLS, which had recorded a UCC-3 assignment with a incorrect property address and legal description in the chain from HSBC to Nationstar to SLS, as a secured party to a UCC-1 financing statement with non-existent collateral. (Attached as Exhibits 2b-c, and explained in more detail in the Debtor's Objection to the Motion for Relief, dated January 22, 2018 at docket no. 31)
- 8. This would call into question both Nationstar's standing and participation at the January 30, 2018 hearing on Relief from Stay as the real party in interest and the assignment of collateral March 3, 2018 (Attached as Exhibits 5a-d) to SLS, despite SLS's February 13, 2018 PUBLIC AUCTION NOTICE OF SALE referencing Nationstar as having rights as the "holder of the security".
- 9. Debtor subsequently sent notice of the pending Loss Mitigation hearing to SLS and GP, resulting in the Notice of Appearance and Request for Notice Filed March 6, 2018 by Ehret Anne Van Horn on behalf of Specialized Loan Servicing (docket no. 40).
- 10. Debtor called Attorney Deborah Turofsky of GP, per the contact information in the Letter in Lieu of a Request for Documents (docket no. 41) filed March 6, 2018 on behalf of SLS, regarding the scheduled auction resulting in the email confirming cancellation of the auction attached as an exhibit to Debtor's March 20, 2018 Motion for Contempt (docket no. 43).
- 11. Debtor continued to receive harassing phone calls regarding the scheduled auction from parties claiming to want to "help", leaving a feeling of concern the auction might "accidentally" proceed, especially in light of the negative impression left by the many troubling issues with the servicing of the subject loan.

- 12. The most recent Qualified Written Request ("QWR"), previous requests for information, notices of error and the requests pursuant to Loss Mitigation on Nationstar and SLS have gone either unanswered or unaddressed, although SLS makes mention of their intention to respond via the "judicial process" in their response to a complaint to the Consumer Financial Protection Bureau ("CFPB"), (Attached as Exhibits 6a-b)
- 13. If the court were to adjourn the hearing on the Application for an Order to Show Cause, the Debtor would potentially have to contend with another scheduled auction of the property due to the threatened rescission of SLS's Trial Modification Plan Offer upon it's expiration on April 1, 2018. Without a determination by the Court and sanctions to enjoin the parties from taking similar actions the Debtor could be required to petition the court again for relief.
- 14. The fact that the rescission of the Trial Plan is scheduled intentionally before the Loss Mitigation Session and hearing on contempt and sanctions that SLS and Nationstar have asked the court to adjourn without production of the required and requested documents and information or the appointment of a party authorized to settle on behalf of SLS or Nationstar, casts doubt on the parties' good faith participation and prejudices the Debtors ability to meaningfully participate in any discussion, negotiation or settlement of the Debtor's claims and concerns through the Loss Mitigation Program.
- 15. Deborah Turofsky of GP on behalf of SLS called SEAN M. MURRAY on March 26, 2018 at 2:55pm EST. The call lasted 46 minutes. Among the things discussed were: the lack of response(s) to previously submitted QWR(s), Notice(s) of Error(s), or Request(s) for Information with Nationstar and SLS; the status of response to requested information in the February 24, 2018 QWR in consideration of GENERAL ORDER #582, LOSS MITIGATION PROGRAM PROCEDURES, VIII. LOSS MITIGATION PROCESS, A. INITIAL CONTACT, 3. Exchange of Information (and documents requested by the debtor); the August 10, 2017 payoff as referenced by Nationstar in correspondence to the New York Department of Banking and Chapter 7 Trustee McCord's Withdrawn Application for rule 2004 Examination; prior parties in interest: HSBC MORTGAGE CORPORATION, HSBC BANK (USA) N.A., PHH MORTGAGE CORPORATION, and MORTGAGE SERVICE CENTER ("HSBC") correspondence to the New York Attorney General's Office regarding the debtor's complaint and HSBC's acknowledgement of ceasing or canceling the account instead of offering a direct response to the complaint; and whether Attorney Turofsky was appointed the party with settlement authority for SLS/Nationstar pursuant to GENERAL ORDER #582, LOSS MITIGATION PROGRAM PROCEDURES VIII(D).
- 16. On March 27, 2018 the debtor emailed Attorney Turofsky a response in confirmation of receipt of her March 26, 2018 email referencing SLS's proposed Trial Modification Plan dated March 13, 2018.
- 17. Other than the email copy attached to Attorney Turofsky's March 26, 2018 email, the debtor has not been served the Trial Modification Plan via USPS at the Debtor's mailing address for service of process. This may be a result of the fact that the attached exhibits to the

Affirmation seeking Adjournment contain documents referencing the loan account mailing address for the Trial Modification Plan as 28 East Main Street, Suite 1800, Rochester NY 14614-1936. This is the same address as Counsel for HSBC in response to the previously mentioned Attorney General complaint, David Case of Fein, Such and Crane, LLP, and Relin, Goldstein & Crane, LLP, <a href="http://www.feinsuchcrane.com/attorneys/david-p-case/">https://www.feinsuchcrane.com/attorneys/david-p-case/</a>, <a href="https://www.rgcattys.net/attorneys/david-case/">https://www.rgcattys.net/attorneys/david-case/</a>, who apparently sold the canceled or ceased account to Nationstar more than a year after the Attorney General Complaint. Nationstar's documents similarly contain PHH MORTGAGE CORPORATION's ("HSBC") address of 1 Mortgage Way, Mount Laurel, NJ, 08054, on all of the GP supplied documentation and evidence pertaining to Nationstar's attempt to foreclose and in response to QWRs and other requests for information or verification, validation or substantiaton. All documents pertaining to servicing the loan account feature a mailing address that indicates HSBC cancelled the account and/or sold an account with an address associated with HSBC or their Attorneys, agents or servicers. (Attached as Exhibits 7a-j)

- 18. The 1 Mortgage Way, Mount Laurel, NJ 08054 address is also associated with the Debtor's taxpayer ID and information that were used together to apply for a Loan Officer license from the Arkansas Securities Department according to the Professional License Records section contained in the LexisNexis Risk Solutions Bureau LLC ("LexisNexis") Benefit Assessment Consumer Disclosure August 22, 2017 report. (Attached as Exhibits 8a-b)
- 19. Debtor has provided an email address for a point of contact in the Loss Mitigation Program communications and did not intend to consent to service of process by email without access to the court's electronic filing system.
- 20. For all of the foregoing reasons, taking into consideration the course of negligence described herein with disregard to the rights of the borrower, the Debtor respectfully requests that this Court not adjourn the entry of an order to show cause or the hearing on sanctions and contempt of court for violation of the automatic stay and discharge injunction.

Executed Wednesday, April 4, 2018

SEAN M. MURRAY

By: SEAN M. MURRISU

UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORK		
In Re:	Case No.:	1-17-44157-ess
SEAN M. MURRAY	Chapter:	7

## **CERTIFICATION OF SERVICE**

The undersigned certifies that on Thursday, April 5, 2018, a copies of the annexed papers: REPLY TO AFFIRMATION SEEKING ADJOURNMENT OF ENTRY OF ORDER TO SHOW CAUSE; were served by depositing same, enclosed in a properly addressed postage-paid envelope, in an official depository under the exclusive care of the United States Postal Service within the State of New York, upon:

- Richard J. McCord, Chapter 7 Trustee Certilman Balin Adler & Hyman 90 Merrick Avenue East Meadow, NY 11554
- Robert A. Gavin, Jr., Clerk of the Bankruptcy Court 271-C Cadman Plaza East, Suite 1595 Brooklyn, NY 11201-1800
- Miriam Rosenblatt, Attorney for Nationstar Mortgage LLC Robertson, Anschutz & Schneid, P.L., Bankruptcy Department 6409 Congress Avenue, Suite 100 Boca Raton, Florida 33487
- Ehret Anne Van Horn, Esq., Attorney for Specialized Loan Servicing, LLC Gross Polowy, LLC 1775 Wehrle Drive, Suite 100 Williamsville, NY 14221

Dated: Thursday, April 5, 2018

SEAN M. MURRAY

Exhibit la

Bonnie Filip

OUR INFO ONLINE www.mrcooper.com

New York State Department of Financial Services One State Street Plaza New York, NY 10004

August 22, 2017

MORTGAGOR: Sean Murray
LOAN NUMBER: 9916
CASE NUMBERS: LB-08-17-07067

LB-08-17-07291

е

REFERENCE NUMBER: BKM-2017-1215890 PROPERTY ADDRESS:

3521 79th Street, 4E Jackson Heights, NY 11372

Dear Bonnie Filip,

Thank you for reaching out to us. We received your correspondence on August 8, 2017, and Mr. Murray's correspondence on August 10, 2017. We have looked into his concerns and have updates for you.

Our records reflect the above referenced account transferred to us on October 16, 2016. As such, we are unable to attest to the actions of HSBC, PHH Mortgage Corp, or the attorney office of Fein, Such and Crane, LLP. Our records reflect correspondence was received by our foreclosure firm Gross Polowy, LLC (Gross Polowy). They have previously responded to Mr. Murray's claims. Their response dated July 13, 2017, Gross Polowy provided Mr. Murray the endorsed copy of the Note and the Loan Security Agreement Mr. Murray signed at closing, as well as the UCC Financing Assignment. As HSBC was the original creditor of the loan, we cannot comment on any concerns Mr. Murray may have with them. If he has additional concerns regarding the origination of the loan, he will need to contact HSBC for assistance.

Moreover, Gross Polowy also responded to Mr. Murray's additional concerns on August 2, 2017, at which time he was provided a copy of the Note and Loan Security Agreement dated March 20, 2008, that he signed and promised to pay \$195,600.00 and pledged 439 shares of common stock in 35-21 79th Street Corp. and all rights, interest and title in a proprietary lease for a co-op unit in a building known as 35-21 79th Street, Unit 4E, Jackson Heights, NY 11372. Gross Polowy's letter also explained that the above referenced mortgage is in default and that he had not disputed the default under an installment of the debt. Gross Polowy provided all appropriate default notices in accordance with New York State law that were sent to Mr. Murray. However, our records do not reflect we have received any evidence to substantiate any claims asserted by Mr. Murray regarding any egregious violation of federal or New York State debt collection procedure, the Real Estate Settlement Procedures Act

Mr. Cooper is simply a new brand name for Nationstar Mortgage LLC. Nationstar Mortgage LLC is doing business as Nationstar Mortgage LLC d/b/a Mr. Cooper. Mr. Cooper is a service mark of Nationstar Mortgage LLC. All rights reserved.

Please be advised this communication is sent for informational purposes only and is not intended as an attempt to collect, assess, or recover a claim against, or demand payment from, any individual protected by the U.S. Bankruptcy Code. If this account has been discharged in a bankruptcy proceeding, be advised this communication is for informational purposes only and not an attempt to collect a debt against you; however, the servicer/lender reserves the right to exercise the legal rights only against the property securing the loan obligation, including the right to foreclose its lien under appropriate circumstances. Nothing in this correspondence shall be construed as an attempt to collect against the borrower personally or an attempt to revive personal liability.





#### Exhibit 1b

(RESPA), the Truth in Lending Act (TILA), false or misleading statements, simulations of legal or judicial process, or any unethical or professional misconduct.

Because Mr. Murray seeks information substantially similar to information previously requested, for which we provided a response, we have included the previous responses sent to Mr. Murray and are providing the below information regarding his additional concerns.

Our records do not reflect any error regarding the information provided to him in the subject phone calls. Please note that a payoff request may not be completed in the same day, as we must request the appropriate fees and costs so that a correct Payoff Statement can be calculated. As such, our records reflect a Payoff Statement was provided to Mr. Murray on August 7, 2017, as well as enclosed in our previous responses mentioned above.

As advised above, Gross Polowy's response to Mr. Murray on August 2, 2017, responded to all of his concerns regarding the foreclosure file and notices that have been sent to him under New York State law. As such, we must refute all allegations asserted within his correspondence. Our records reflect we are appropriately servicing the account in accordance with New York State law. Please note all previous responses are enclosed for your records.

Upon receipt of this correspondence, the above mentioned loan and related documents were reviewed and found to comply with all state and federal guidelines that regulate them. As such, the above mentioned loan will remain active and continue to be serviced appropriate to its status. Any failure to adhere to the terms of the mortgage will result in our pursuing remedies, including but not limited to, foreclosure.

Upon further review, Mr. Murray filed a voluntary petition under a Chapter 7 Bankruptcy on August 10, 2017. As such, the foreclosure has been placed on hold and the scheduled foreclosure sale date has been removed. Our records further reflect that a short payoff of \$238,176.42 was received on August 15, 2017. It was determined that the above amount received was \$309.78 short of a full payoff. Please note that a full payoff must be received in order to apply the funds to the account. As such, please note the \$238,176.42 is being returned. A Transaction History is enclosed for review.

As of the date of this letter, the account is contractually due for the September 1, 2014 pre-petition installment. I was unable to identify any error regarding the above matter. As such, I have included the documents used in my review for your records.

Our records indicate Federal Home Loan Mortgage Corporation (Freddie Mac) is the current owner of the loan. We have provided the contact information below:

Freddie Mac 8200 Jones Branch Drive McLean, VA 22102 1.800.373.3343

Please note that Mr. Cooper is the servicer of the loan and will be responsible for responding to any concerns regarding the servicing of the loan. Servicing matters include but are not limited to the following:

- Payment assistance and modifications
- Payment posting



Exhibit 1c

- · Validation of the debt
- · Foreclosure proceedings
- · Payment adjustments

Please direct any communication related to these matters to us using the contact information below. Please note Freddie Mac will not be able to assist with any of these matters.

At Mr. Cooper, customer concerns are important to us. Since the foreclosure has been placed on hold, we can work with Mr. Murray on a resolution for issues that affect his ability to voluntarily make timely mortgage installments, whether the challenges are temporary or long-term.

If Mr. Murray intends to pay off the above loan, he can send in the full payoff amount by wire transfer or cashier's check using the information provided on the Payoff Statement. However, the enclosed Payoff Statement was only good through August 10, 2017. Mr. Murray will either need to send in the additional amount due or he can contact his Dedicated Loan Specialist, Kasey Sides, and request an updated Payoff Statement. Ms. Sides can be reached at 903.686.2532 or via mail at PO Box 610790, Dallas, TX 75261. If Mr. Murray has any general questions, he can contact our Bankruptcy Department at 1.8877.343.5602. Our hours of operation are Monday through Friday from 8 a.m. to 6 p.m. (CT). Visit us on the web at <a href="https://www.mrcooper.com">www.mrcooper.com</a> for more information.

Sincerely,

Chandler Williams

Shalehe Willis

**Customer Relations Specialist** 

Mr. Cooper PO Box 619098

Dallas, TX 75261-9741 Phone: 469.549.3481

Fax: 972.966.4751

E-mail: Chandler.Williams@MrCooper.com

Enclosures 18

By E-mail Bonnie.Filip@dfs.ny.gov

cc: Sean Murray



#### Exhibit 1d

Hawaii Residents: If you believe a loss mitigation option request has been wrongly denied, you may file a complaint with the state division of financial institutions at 808-586-2820 or http://cca.hawaii.gov/dfi/.

New York Residents: Nationstar Mortgage LLC d/b/a Mr. Cooper is licensed by the New York City Department of Consumer Affairs License Number: 1392003. If you believe a Loss Mitigation request has been wrongly denied, you may file a complaint with the New York State Department of Financial Services at 1-800-342-3736 or www.dfs.ny.gov.

New York Residents Income Disclosure: If a creditor or debt collector receives a money judgment against you in court, state and federal laws may prevent the following types of income from being taken to pay the debt: supplemental security income (SSI); social security; public assistance (welfare); spousal support, maintenance (alimony) or child support; unemployment benefits; disability benefits; workers' compensation benefits; public or private pensions; veterans' benefits; federal student loans, federal student grants, and federal work study funds; and ninety percent of your wages or salary earned in the last sixty days.

**Oregon Residents:** There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and telephone number of an organization near you, please call 211 or visit www.oregonhomeownersupport.gov. If you need help finding a lawyer, consult the Oregon State Bar's Lawyer Referral Service online at www.oregonstatebar.org or by calling 503-684-3763 (in the Portland metropolitan area) or toll-free elsewhere in Oregon at 800-452-7636. Free legal assistance may be available if you are very low income. For more information and a directory of legal aid programs, go to www.oregonlawhelp.org.

North Carolina Residents: Nationstar Mortgage LLC d/b/a Mr. Cooper is licensed by the North Carolina Commissioner of Banks, Mortgage Lender License L-103450. Nationstar Mortgage LLC d/b/a Mr. Cooper is also licensed by the North Carolina Department of Insurance, Permit Numbers 105369, 112715, 105368, 111828, 112953, and 112954. If you believe a Loss Mitigation request has been wrongly denied, you may file a complaint with the North Carolina Office of the Commissioner of Banks website www.nccob.gov.

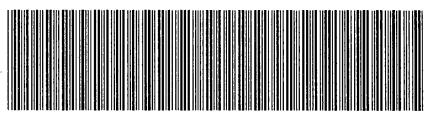
**Texas Residents:** COMPLAINTS REGARDING THE SERVICING OF A MORTGAGE SHOULD BE SENT TO THE DEPARTMENT OF SAVINGS AND MORTGAGE LENDING, 2601 NORTH LAMAR, SUITE 201, AUSTIN, TX 78705. A TOLL-FREE CONSUMER HOTLINE IS AVAILABLE AT 877-276-5550. A complaint form and instructions may be downloaded and printed from the Department's website located at www.sml.texas.gov or obtained from the department upon request by mail at the address above, by telephone at its toll-free consumer hotline listed above, or by email at smlinfo@sml.texas.gov.



#### Exhibit 2a

## NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER

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## RECORDING AND ENDORSEMENT COVER PAGE

Document Date: 02-27-2008

PAGE 1 OF 3

Preparation Date: 02-28-2008

COOPERATIVE WITH ADDENDUM

Document ID: 2008022701302001 Document Type: INITIAL COOP UCC1

Document Page Count: 2

**RETURN TO:** 

TITLEVEST AGENCY, INC

44 WALL STREET

10TH FLOOR

NEW YORK, NY 10005

212-757-5800

nicole@titlevest.com

PRESENTER:

TITLEVEST AGENCY, INC

**44 WALL STREET** 

10TH FLOOR

NEW YORK, NY 10005

212-757-5800

nicole@titlevest.com

PROPERTY DATA

Borough **OUEENS**  Block Lot

1279 58

Entire Lot 4E

Unit

Address

35-21 79TH STREET

Property Type: SINGLE RESIDENTIAL COOP UNIT

CRFN\_\_\_\_\_\_ or Document ID\_\_\_\_\_\_ or \_\_\_\_ Year\_\_\_ Reel \_\_ Page \_\_\_\_ or File Number\_\_\_\_\_

## **DEBTOR:**

SEAN MURRAY

Affidavit Fee:

35-46 74TH STREET, APT. 226 JACKSON HEIGHTS, NY 11372 **PARTIES** 

**FEES AND TAXES** 

0.00

**SECURED PARTY:** 

HSBC MORTGAGE CORPORATION (USA)

2929 WALDEN AVENUE

DEPEW, NY 14043-2602

Mortgage		
Mortgage Amount:	\$ ,	0.00
Taxable Mortgage Amount:	\$	0.00
Exemption:		
TAXES: County (Basic):	\$	0.00
City (Additional):	\$	0.00
Spec (Additional):	\$	0.00
TASF:	\$	0.00
МТА:	\$	0.00
NYCTA:	\$	0.00
Additional MRT:	\$	0.00
TOTAL:	\$	0.00
Recording Fee:	\$	40.00

Filing Fee:

NYC Real Property Transfer Tax: 0.00

NYS Real Estate Transfer Tax:

0.00

RECORDED OR FILED IN THE OFFICE OF THE CITY REGISTER OF THE CITY OF NEW YORK

Recorded/Filed

03-03-2008 09:58

0.00

City Register File No.(CRFN):

2008000085182

City Register Official Signature

			Exhibit 2b	
UCC FINANCING STAT	EMENT			
FOLLOW INTRUCTIONS (front and A. NAME & PHONE OF COM	d back) CAREFULLY			
B. SEND ACKNOWLDGEN	·			
Robert Kaplan, PC 70-20 Austin Street	, Suite 100			
Forest Hills, NY 113	75			
1.DEBTOR'S EXACT FULL LEGAL N	NAME insert only <u>one</u> debtor na	me (1a or 1b) - do not abbreviate or comb	ne names	
OR 16. INDIVIDUAL'S LAST NAME  Murray	- · · · · · · · · · · · · · · · · · · ·	FIRST NAME Sean	MIDDLE NAME	SUFFIX
1c. MAILING ADDRESS 35-46 74th Street, Apt. 226	j	cmy Jackson Heights	STATE POSTAL CODE NY 11372	COUNTRY
1d. SEE INSTRUCTIONS ADD'L	NFO RE 1e. TYPE OF ORGANIZATION ZATION	1f. JURISDICTION OF ORGANIZATION	1g. ORGANIZATIONAL ID #, if any	NONE
2. ADDITIONAL DEBTOR'S EXACT FUL 2a. ORGANIZATION'S NAME	L LEGAL NAME -insert onl	ly <u>one</u> debtor name (2a or 2b) -do not abbreviate or com	bine names	
OR 2b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX
2c. MAIUNG ADDRESS		CITY	STATE POSTAL CODE	COUNTRY
2d. SEE INSTRUCTIONS ADD'L 1 ORGANI DEBTOR	ZATION 1	2f. JURISDICTION OF ORGANIZATION	2g. ORGANIZATIONAL ID 4, if any	□ NONE
		SIGNOR S/P) -insert only one party name (3a or 3b)		NONE
OR HSBC Mortgage Corp	ooration (USA)	FIRST NAME	MIDDLE NAME	SUFFIX
3c. MAILING ADDRESS 2929 Walden Avenue	,	слу <b>Depew</b>	STATE POSTAL CODE NY 14043-2602	COUNTRY
4. This FINANCING STATEMENT covers the	following collateral:			
ALLOCATED TO APARTMENT 4E	THE "APARTMENT") IN THE BUIL	39 SHARES OF CAPITAL STOCK OF 235-21 DING KNOWN AS 35-21 79TH STREET, JAC 235-21 79TH STREET TENANTS CORP AS LI DIANY AMENDMENTS TO AND EXTENSION	KSON HEIGHTS AND ALL OF THE DI	EBTOR(S) RIGHT, TITI.
				·

5. ALTERNATIVE DESIGNATION (if applicable):

LESSEE/LESSOR

5. X This FINANCING STATEMENT is to be filed (for record ) (or recorded) in the REAL (FADDITIONAL FEE) (Optional) (Optional) (If applicable) (ADDITIONAL FEE) (Optional) (Option

CONSIGNEE/CONSIGNOR

BAILEE/BAILOR

SELLER/BUYER

AG. LIEN

NON - UCCFILING

All Debtors Debtor 1 Debtor 2

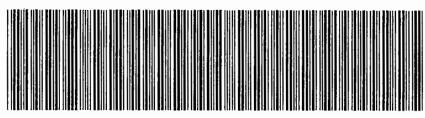
Exhibit 2c

	_		
UCC FINANCING STATEMENT COOPERATIVE ADDENDUM	и [		
FOLLOW INSTRUCTIONS (front and back) CAREFULLY			
A. NAME + PHONE OF CONTACT AT FILER (optional)			
B. SEND ACKNOWLEDGEMENT TO: (Name and Address)			
b. SEND ACKNOWLEDGENERY TO, Wallie and Address)			
l I	'		
Robert Kaplan, PC			
70-20 Austin Street, Suite 100			
Forest Hills, NY 11375	1		
· ·	THE ABOVE SPACE IS	FOR FILING OFFICE USE ONLY	
<b>L</b>	<b>-</b>		
19. Complete EITHER 19a. This COOPERATIVE ADDENDUM	19b. File Number assigned to the Initial FINANCII	NG STATEMENT:	
19a or 19b. X; accompanies a FINANCING STATEMENT.	<u> </u>		
<ol> <li>FIRST DEBTOR OF RECORD: (Complete either 20a or 20b, but not both 20a. ORGANIZATION'S NAME.</li> </ol>	1.)		
203. ORGANIZATION STAME:			
OR 20b. INDIVIDUAL'S LAST NAME:	FIRST NAME:	MIDDLE NAME:	SUFFIX:
Murray	Sean		
21. FIRST SECURED PARTY OF RECORD: (Complete either 21a or 21b, but	not both.)		
21a. ORGANIZATION'S NAME:			
OR 216 INDIVIDUAL'S LAST NAME:	FIRST NAME:	MIDDLE NAME	SUFFIX:
21b INDIVIDUAL'S LAST NAME:			
22. This COOPERATIVE ADDENDUM covers: (check one.)	IMPORTANT:		<u>.l</u>
One COOPERATIVE INTEREST More than one COOPERATIVE INTEREST		antonia atta melleraret	
23. Unit uses: (Check all that apply.)	This COOPERATIVE ADDENDIM is for use includes a COOPERATIVE INTEREST.	when the collateral	
	Only as to collateral which is a COOPERA other collateral, the initial FINANCING STATEME		,
Storage Other (If checked, complete 23a).	COOPERATIVE ADDENDUM relates shall be	e effective for 50 years	
23a. Specify other Unit use(s):	from the date of filing the initial FINANCING ST	ATEMENT.	
24. COOPERATIVE UNIT REAL PROPERTY FILING DATA:	26. Complete if applicable. (If checked, complete	(e 26a.)	
24a. ADDRESS NUMBER and STREET: (One only)	The purpose of this COOPERATIVE ADENDU		terest to
35-21 79th Street	another security interest in the same COOPE		
24b. COMMUNITY (e.g., City, Town, Village or Borough):	26a. FILE NUMBER of security Interest being given	n consensual priority:	
Jackson Heights			
24c. COUNTY:	27. Check if Applicable.	ACMANICEC	
Queens 24d. DISTRICT:	The security agreement provides for FUTURE  28. MISCELLANEOUS:	: ADVANCES.	
24u. District.	ZG, MISCELLINGOS.		
24e. SECTION:	┥		
24f. BLOCK: 1279			
740 107.	4		
24g. LOT: <b>58</b>			
24h. UNIT NUMBER(S) or DESIGNATION(S):	·		
4E			
25. Name of the COOPERATIVE ORGANIZATION:			
235-21 79th Street Tenants Corp			

## Exhibit 3a

# NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER

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2013041900853001001E8B00

RECORDING AND ENDORSEMENT COVER PAGE 0853001 Document Date: 04-19-2013

PAGE 1 OF 4

COOPERATIVE

Preparation Date: 04-19-2013

Document ID: 2013041900853001

Document Type: UCC3 ASSIGNMENT

Document Page Count: 2

**RETURN TO:** HSBC BANK USA, N.A. 2929 WALDEN AVE

DEPEW, NY 14043

800-338-4626

usmortgagedischarge@us.hsbc.com

PRESENTER:

HSBC BANK USA, N.A. 2929 WALDEN AVE DEPEW, NY 14043

800-338-4626

Borough

**QUEENS** 

usmortgagedischarge@us.hsbc.com

PROPERTY DATA

Unit

Block Lot

1278 27 Entire Lot 4E

35-46 79TH ST

Address

Property Type: SINGLE RESIDENTIAL COOP UNIT

## CROSS REFERENCE DATA

CRFN: 2008000085182

**DEBTOR:** 

SEAN MURRAY

35-21 79TH STREET, UNIT 4E JACKSON HEIGHTS, NY 11372

**PARTIES** 

HSBC MORTGAGE CORPORATION USA

2929 WALDEN AVE DEPEW, NY 14043

**SECURED PARTY:** 

x Additional Parties Listed on Continuation Page

	FEES AN
Mortgage	
Mortgage Amount:	\$ 0.00
Taxable Mortgage Amount:	\$ 0.00
Exemption:	
TAXES: County (Basic):	\$ 0.00
City (Additional):	\$ 0.00
Spec (Additional):	\$ 0.00
TASF:	\$ 0.00
МТА;	\$ 0.00
NYCTA:	\$ 0.00
Additional MRT:	\$ 0.00
TOTAL:	\$ 0.00
Recording Fee:	\$ 40.00
Affidavit Fee:	\$ 0.00
1.2.1.44	

FEES AND TAXES

Filing Fee:

\$ 0.00

NYC Real Property Transfer Tax:
\$ 0.00

NYS Real Estate Transfer Tax:

\$ 0.00

RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE
CITY OF NEW YORK

Recorded/Filed

04-26-2013 14:18

City Register File No.(CRFN):

2013000166951

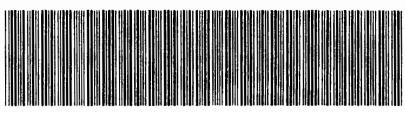
Repette M. Still

City Register Official Signature

Case 1-17-44157-ess Doc 52 Filed 04/05/18 Entered 04/05/18 13:42:29

Exhibit 3b

NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER



2013041900853001001C8980

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION)

PAGE 2 OF 4

Document ID: 2013041900853001

Document Date: 04-19-2013

Preparation Date: 04-19-2013

Document Type: UCC3 ASSIGNMENT

**PARTIES** 

**NEW SECURED PARTY:** 

HSBC BANK USA NA 2929 WALDEN AVE DEPEW, NY 14043

Exhibit 3c

ICC FINANCING STATEMENT AMEND	MENT				
ICC FINANCING STATEMENT AMEND  OLLOW INSTRUCTIONS (front and back) CAREFULLY	MENI	•			
A. NAME & PHONE OF CONTACT AT FILER (optional)					
Dawn M. Kronenwetter 716-651-6100					
3. SEND ACKNOWLEDGMENT TO: (Name and Address)					
HCDC Book HCA NIA					
'HSBC Bank USA, N.A. 2929 Walden Avenue	ľ				
Depew, NY 14043	1				
Берен, 141 14043	l				
a. INITIAL FINANCING STATEMENT FILE #		THE ABOVE SP		R FILING OFFICE	
Recorded: 3/3/2008 CRFN #: 2008000085182			to b	e filed (for record) (or r	ecorded) in the
TERMINATION: Effectiveness of the Financing Statement identifie	d above is terminated with respect	to security interest(s) of the			
. CONTINUATION: Effectiveness of the Financing Statement Iden	tified above with respect to secur	ity interest(s) of the Secured	Party autho	orizing this Continuatio	n Statement is
Continued for the additional period provided by applicable law.					
ASSIGNMENT (full or partial): Give name of assignee in Item 7a of					
<ul> <li>AMENDMENT (PARTY INFORMATION): This Amendment affect Also check one of the following three boxes and provide appropriate informations.</li> </ul>	Щ. Ш	arty of record. Check only g	ng of these t	wo boxes.	
CHANGE name and/or address: Give current record name in item 6a	_	ETE name: Give record nam	е Пар	D name: Complete ite	m 7a or 7b, and a
	a changal in Ham 7a	deleted in item for as fit	ites	7 7 obo complete ite	
name (if name change) in item 7a or 7b and/or new address (if address CURRENT RECORD INFORMATION:	s change) in item 7cto be	deleted in item 6a or 6b.	iter	m 7c; also complete ite	ms 7d-7g (if appl
	s change) in item 7cto be	deleted in item 6a or 6b.	iter	m 7c; also complete ite	ms 7d-7g (if appl
CURRENT RECORD INFORMATION:    Ga. ORGANIZATION'S NAME	is change) in item 7cto be	deleted in item 6a or 6b.	iter	m 7c; also complete ite	
CURRENT RECORD INFORMATION:    GB. ORGANIZATION'S NAME	s change) in item 7cto be	deleted in item 62 or 6b.	MIDDLE I	m 7c; also complete ite	ms 7d-7g (if appl
CURRENT RECORD INFORMATION:  [68. ORGANIZATION'S NAME  [68. INDIVIDUAL'S LAST NAME  [Murray]	is change) in item 7cto be	deleted in item 6a or 6b.	iter	m 7c; also complete ite	
CURRENT RECORD INFORMATION:    GB. ORGANIZATION'S NAME	s change) in item 7cto be	deleted in item 6a or 6b.	iter	m 7c; also complete ite	
CURRENT RECORD INFORMATION:  56. ORGANIZATION'S NAME  66. INDIVIDUAL'S LAST NAME  Murray  CHANGED (NEW) OR ADDED INFORMATION:  78. ORGANIZATION'S NAME  HSBC Bank USA, N.A.	FIRST NAME Sean	deleted in item 6a or 6b.	MIDDLE	m 7c; also complete ite	
CURRENT RECORD INFORMATION:  SB. ORGANIZATION'S NAME  SB. INDIVIDUAL'S LAST NAME  Murray  CHANGED (NEW) OR ADDED INFORMATION:  78. ORGANIZATION'S NAME	s change) in item 7cto be	deleted in item 6a or 6b.	iter	m 7c; also complete ite	
CURRENT RECORD INFORMATION:  6B. ORGANIZATION'S NAME  6B. INDIVIDUAL'S LAST NAME  MUTTAY  CHANGED (NEW) OR ADDED INFORMATION:  7B. ORGANIZATION'S NAME  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME	FIRST NAME  FIRST NAME  FIRST NAME	deleted in item 6a or 6b.	MIDDLE	m 7c; also complete ite	SUFFIX
CURRENT RECORD INFORMATION:  SB. ORGANIZATION'S NAME  SB. INDIVIDUAL'S LAST NAME  MUTTAY  CHANGED (NEW) OR ADDED INFORMATION:  7B. ORGANIZATION'S NAME  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME  C. MAILING ADDRESS	FIRST NAME  FIRST NAME  FIRST NAME  CITY	deleted in item 6a or 6b.	MIDDLE	m 7c; also complete ite	SUFFIX
CURRENT RECORD INFORMATION:  [6a. ORGANIZATION'S NAME]  6b. INDIVIDUAL'S LAST NAME  Murray  CHANGED (NEW) OR ADDED INFORMATION:  [7a. ORGANIZATION'S NAME]  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME  c. MAILING ADDRESS  2929 Walden Avenue  d. TAX ID #: SSN OR EIN   ADD'L INFO RE   7e. TYPE OF ORGANIZA	FIRST NAME Sean  FIRST NAME CITY Depew	deleted in item 6a or 6b.	MIDDLE !	NAME  POSTAL CODE	SUFFIX SUFFIX COUNT USA
CURRENT RECORD INFORMATION:  GB. ORGANIZATION'S NAME  GB. INDIVIDUAL'S LAST NAME  MUTTAY  CHANGED (NEW) OR ADDED INFORMATION:  7B. ORGANIZATION'S NAME  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME  C. MAILING ADDRESS  1929 Walden Avenue	FIRST NAME Sean  FIRST NAME CITY Depew	deleted in item 6a or 6b.	MIDDLE !	NAME POSTAL CODE 14043	SUFFIX SUFFIX COUNT USA
CURRENT RECORD INFORMATION:    Sa. ORGANIZATION'S NAME     Sb. INDIVIDUAL'S LAST NAME     Murray     CHANGED (NEW) OR ADDED INFORMATION:   7a. ORGANIZATION'S NAME     HSBC Bank USA, N.A.     7b. INDIVIDUAL'S LAST NAME     C. MAILING ADDRESS     1929 Walden Avenue     ADDL INFORE   7e. TYPE OF ORGANIZATION     DEBTOR   1	FIRST NAME Sean  FIRST NAME CITY Depew	deleted in item 6a or 6b.	MIDDLE !	NAME POSTAL CODE 14043	SUFFIX SUFFIX COUNT USA
CURRENT RECORD INFORMATION:  6a. ORGANIZATION'S NAME  6b. INDIVIDUAL'S LAST NAME  MUTTAY  CHANGED (NEW) OR ADDED INFORMATION:  7a. ORGANIZATION'S NAME  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME  c. MAILING ADDRESS  2929 Walden Avenue  d. TAX ID #: SSN OR EIN   ADD'L INFO RE   7c. TYPE OF ORGANIZATION   DEBTOR    AMENDMENT (COLLATERAL CHANGE): check only one box.	FIRST NAME Sean  FIRST NAME CITY Depew	e deleted in item 6a or 6b.	MIDDLE !	NAME POSTAL CODE 14043	SUFFIX SUFFIX COUNT USA
CURRENT RECORD INFORMATION:  6a. ORGANIZATION'S NAME  6b. INDIVIDUAL'S LAST NAME  MUTTAY  CHANGED (NEW) OR ADDED INFORMATION:  7a. ORGANIZATION'S NAME  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME  c. MAILING ADDRESS  2929 Walden Avenue  d. TAX ID #: SSN OR EIN   ADD'L INFO RE   7c. TYPE OF ORGANIZATION   DEBTOR    AMENDMENT (COLLATERAL CHANGE): check only one box.	FIRST NAME Sean  FIRST NAME CITY Depew TION 71. JURISDICTION O	e deleted in item 6a or 6b.	MIDDLE !	NAME POSTAL CODE 14043	SUFFIX SUFFIX COUNT USA
CURRENT RECORD INFORMATION:  6a. ORGANIZATION'S NAME  6b. INDIVIDUAL'S LAST NAME  MUTTAY  CHANGED (NEW) OR ADDED INFORMATION:  7a. ORGANIZATION'S NAME  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME  c. MAILING ADDRESS  2929 Walden Avenue  d. TAX ID #: SSN OR EIN   ADD'L INFO RE   7c. TYPE OF ORGANIZATION   DEBTOR    AMENDMENT (COLLATERAL CHANGE): check only one box.	FIRST NAME Sean  FIRST NAME CITY Depew TION 71. JURISDICTION O	e deleted in item 6a or 6b.	MIDDLE !	NAME POSTAL CODE 14043	SUFFIX SUFFIX COUNT USA
CURRENT RECORD INFORMATION:  6a. ORGANIZATION'S NAME  6b. INDIVIDUAL'S LAST NAME  MUTTAY  CHANGED (NEW) OR ADDED INFORMATION:  7a. ORGANIZATION'S NAME  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME  c. MAILING ADDRESS  2929 Walden Avenue  d. TAX ID #: SSN OR EIN   ADD'L INFO RE   7c. TYPE OF ORGANIZATION   DEBTOR    AMENDMENT (COLLATERAL CHANGE): check only one box.	FIRST NAME Sean  FIRST NAME CITY Depew TION 71. JURISDICTION O	e deleted in item 6a or 6b.	MIDDLE !	NAME POSTAL CODE 14043	SUFFIX SUFFIX COUNT USA
CURRENT RECORD INFORMATION:  SB. ORGANIZATION'S NAME  SB. INDIVIDUAL'S LAST NAME  MUTTAY  CHANGED (NEW) OR ADDED INFORMATION:  [7a. ORGANIZATION'S NAME  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME  c. MAILING ADDRESS  1929 Walden Avenue  d. TAX ID #: SSN OR EIN   ADD'L INFO RE   7e. TYPE OF ORGANIZATION   DEBTOR    AMENDMENT (COLLATERAL CHANGE): check only good box.	FIRST NAME Sean  FIRST NAME CITY Depew TION 71. JURISDICTION O	e deleted in item 6a or 6b.	MIDDLE !	NAME POSTAL CODE 14043	SUFFIX SUFFIX COUNT USA
CURRENT RECORD INFORMATION:  6a. ORGANIZATION'S NAME  6b. INDIVIDUAL'S LAST NAME  MUTTAY  CHANGED (NEW) OR ADDED INFORMATION:  7a. ORGANIZATION'S NAME  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME  c. MAILING ADDRESS  2929 Walden Avenue  d. TAX ID #: SSN OR EIN   ADD'L INFO RE   7c. TYPE OF ORGANIZATION   DEBTOR    AMENDMENT (COLLATERAL CHANGE): check only one box.	FIRST NAME Sean  FIRST NAME CITY Depew TION 71. JURISDICTION O	e deleted in item 6a or 6b.	MIDDLE !	NAME POSTAL CODE 14043	SUFFIX SUFFIX COUNT USA
CURRENT RECORD INFORMATION:  6a. ORGANIZATION'S NAME  6b. INDIVIDUAL'S LAST NAME  MUTTAY  CHANGED (NEW) OR ADDED INFORMATION:  7a. ORGANIZATION'S NAME  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME  c. MAILING ADDRESS  2929 Walden Avenue  d. TAX ID #: SSN OR EIN   ADD'L INFO RE   7c. TYPE OF ORGANIZATION   DEBTOR    AMENDMENT (COLLATERAL CHANGE): check only one box.	FIRST NAME Sean  FIRST NAME CITY Depew TION 71. JURISDICTION O	e deleted in item 6a or 6b.	MIDDLE !	NAME POSTAL CODE 14043	SUFFIX SUFFIX COUNT USA
CURRENT RECORD INFORMATION:  6a. ORGANIZATION'S NAME  6b. INDIVIDUAL'S LAST NAME  MUTTAY  CHANGED (NEW) OR ADDED INFORMATION:  7a. ORGANIZATION'S NAME  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME  c. MAILING ADDRESS  2929 Walden Avenue  d. TAX ID #: SSN OR EIN   ADD'L INFO RE   7c. TYPE OF ORGANIZATION   DEBTOR    AMENDMENT (COLLATERAL CHANGE): check only one box.	FIRST NAME Sean  FIRST NAME CITY Depew TION 71. JURISDICTION O	e deleted in item 6a or 6b.	MIDDLE !	NAME POSTAL CODE 14043	SUFFIX SUFFIX COUNT USA
CURRENT RECORD INFORMATION:  6a. ORGANIZATION'S NAME  6b. INDIVIDUAL'S LAST NAME  MUTTAY  CHANGED (NEW) OR ADDED INFORMATION:  7a. ORGANIZATION'S NAME  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME  c. MAILING ADDRESS  2929 Walden Avenue  d. TAX ID #: SSN OR EIN   ADD'L INFO RE   7c. TYPE OF ORGANIZATION   DEBTOR    AMENDMENT (COLLATERAL CHANGE): check only one box.	FIRST NAME Sean  FIRST NAME CITY Depew TION 71. JURISDICTION O	e deleted in item 6a or 6b.	MIDDLE !	NAME POSTAL CODE 14043	SUFFIX SUFFIX COUNT USA
CURRENT RECORD INFORMATION:  Sa. ORGANIZATION'S NAME  Bb. INDIVIDUAL'S LAST NAME  MUTTAY  CHANGED (NEW) OR ADDED INFORMATION:  7a. ORGANIZATION'S NAME  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME  c. MAILING ADDRESS  2929 Walden Avenue  d. TAX ID 8: SSN OR EIN   ADD'L INFO RE   7e. TYPE OF ORGANIZATION   ORGANIZATION   DEBTOR    DESCRIBE COLLATERAL CHANGE): check only grag box.  Describe collateral   deleted or   added, or give entire   estate	FIRST NAME Sean  FIRST NAME CITY Depew TION 77. JURISDICTION Of description, or description, or description.	F ORGANIZATION  be collateral assigned.	MIDDLE I  MIDDLE I  STATE  NY  7g. ORGA	NAME  NAME  POSTAL CODE  14043  ANIZATIONAL ID #, If s	SUFFIX COUNT USA
CURRENT RECORD INFORMATION:  6a. ORGANIZATION'S NAME  6b. INDIVIDUAL'S LAST NAME  MUTTAY  CHANGED (NEW) OR ADDED INFORMATION:  7a. ORGANIZATION'S NAME  HSBC Bank USA, N.A.  7b. INDIVIDUAL'S LAST NAME  c. MAILING ADDRESS  2929 Walden Avenue  d. TAX ID #: SSN OR EIN   ADD'L INFO RE   7c. TYPE OF ORGANIZATION   DEBTOR    AMENDMENT (COLLATERAL CHANGE): check only one box.	FIRST NAME Sean  FIRST NAME CITY Depew TION 77. JURISDICTION O	FORGANIZATION  be collateral assigned.	MIDDLE I  MIDDLE I  STATE  NY  7g. ORG/	NAME  POSTAL CODE  14043  ANIZATIONAL ID 8, If a	SUFFIX COUNT USA
CURRENT RECORD INFORMATION:    Sa. ORGANIZATION'S NAME	FIRST NAME Sean  FIRST NAME CITY Depew TION 77. JURISDICTION O	FORGANIZATION  be collateral assigned.	MIDDLE I  MIDDLE I  STATE  NY  7g. ORG/	NAME  POSTAL CODE  14043  ANIZATIONAL ID 8, If a	SUFFIX COUNT USA
CURRENT RECORD INFORMATION:    Sa. ORGANIZATION'S NAME	FIRST NAME Sean  FIRST NAME CITY Depew TION 71. JURISDICTION Of description, or description, or description of description of an authorized by a Debtor, check here	FORGANIZATION  be collateral assigned.	MIDDLE I  STATE NY  7g. ORG/	NAME  POSTAL CODE  14043  ANIZATIONAL ID 8, If a	SUFFIX COUNT USA
CURRENT RECORD INFORMATION:    Sa. ORGANIZATION'S NAME	FIRST NAME Sean  FIRST NAME CITY Depew TION 77. JURISDICTION O	FORGANIZATION  be collateral assigned.	MIDDLE I  MIDDLE I  STATE  NY  7g. ORG/	NAME  POSTAL CODE  14043  ANIZATIONAL ID 8, If a	SUFFIX COUNT USA

(Dago 2 of 2)

Exhibit 3d

UCC FINANCING STATE		ENT ADDENDUM	
11. INITIAL FINANCING STATEMENT F Recorded: 3/3/2008 CRFN #:	FILE # (same as item 1a on Ame	ndment form)	
12. NAME OF PARTY AUTHORIZING 12a. ORGANIZATION'S NAME HSBC Mortgage Corpor	ation (USA)		
12b. INDIVIDUAL'S LAST NAME  13. Use this space for additional informs	FIRST NAME	MIDDLE NAME, SUFFIX	
		·	THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

#### Exhibit 4a

# NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



2016121500476001001EE45C

RECORDING AND ENDORSEMENT COVER PAGE

Document Date: 12-15-2016

PAGE 1 OF 4

Document ID: 2016121500476001

Document Type: UCC3 ASSIGNMENT

Document Page Count: 2

Preparation Date: 12-15-2016 COOPERATIVE WITH ADDENDUM

## PRESENTER:

MISSION CAPITAL ADVISORS LLC 1120 S. CAPITAL OF TX HWY BLDG 3 STE 150 AUSTIN, TX 78746

SUPPORT@SIMPLIFILE.COM

## RETURN TO:

MISSION CAPITAL ADVISORS 1120 S CAPITAL OF TEXAS HWY, BLDG 3, STE 150 AUSTIN, TX 78746 SUPPORT@SIMPLIFILE.COM

Borough

Block Lot

PROPERTY DATA Unit Address

4E

OUEENS

1279 58 Entire Lot

35-21 79TH STREET

Property Type: SINGLE RESIDENTIAL COOP UNIT

## CROSS REFERENCE DATA

CRFN:

**DEBTOR:** SEAN MURRAY

2008000085182

35-21 79TH STREET, UNIT 4E JACKSON HEIGHTS, NY 11372

#### **PARTIES**

SECURED PARTY:

HSBC BANK USA, N.A. 2929 WALDEN AVENUE

DEPEW, NY 14043

## ☑ Additional Parties Listed on Continuation Page

FEES A	ND	TAXES
	$ _{\mathrm{F}}$	iling Fee:

Mortgage:	
Mortgage Amount:	\$ 0.00
Taxable Mortgage Amount:	\$ 0.00
Exemption:	
TAXES: County (Basic):	\$ 0.00
City (Additional):	\$ 0.00
Spec (Additional):	\$ 0.00
TASF:	\$ 0.00
MTA:	\$ 0.00
NYCTA:	\$ 0.00
Additional MRT:	\$ 0.00
TOTAL:	\$ 0.00
Recording Fee:	\$ 40.00
Affidavit Fee:	\$ 0.00

	Filing Fee:	
	\$	0.00
	NYC Real Property Transfer Tax:	
	\$	0.00
,	NYS Real Estate Transfer Tax:	
	\$	0.00

RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE
CITY OF NEW YORK

CITY OF NEW YOR Recorded/Filed 12-

Recorded/Filed 12-15-2016 16:06 City Register File No.(CRFN): 2016000444774

Genette M Still

City Register Official Signature

Case 1-17-44157-ess Doc 52 Filed 04/05/18 Entered 04/05/18 13:42:29

Exhibit 4b

## NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER



2016121500476001001CE6DC

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION)

PAGE 2 OF 4

Document ID: 2016121500476001

Document Type: UCC3 ASSIGNMENT

Document Date: 12-15-2016

Preparation Date: 12-15-2016

## **PARTIES**

NEW SECURED PARTY: NATIONSTAR MORTGAGE LLC 8950 CYPRESS WATERS BLVD COPPELL, TX 75019

Exhibit 4c

NAME & PHONE OF CONTACT AT FILER (optional)  Debbie Johnston  E-MAIL CONTACT AT FILER (optional)		1			
,					
djohnston@missioncap.com SEND ACKNOWLEDGMENT TO: (Name and Address)					
C	_				
Mission Capital Advisors LLC	I				•
1120 S. Capital of Texas Hwy, Bldg 3, Ste 150	)				
Austin, TX 78746					
		THE ABOVE OR	<b>CE</b> 10 FO	S FILENC OFFICE LICE	ONLY
. INITIAL FINANCING STATEMENT FILE NUMBER		b. This FINANCING STATE		R FILING OFFICE USE NDMENT is to be filed Ifo	
008000085182 Filed 3/3/2008		(or recorded) in the REAI Filer. <u>attach</u> Amendment Ad	ESTATE F dendum (Fon	ECORDS in UCC3Ad) and provide Deb	tor's name in item
TERMINATION: Effectiveness of the Financing Statement identifications.	fied above is terminated w	ith respect to the security intere	st(s) of Sec	ured Party authorizing thi	s Termination
ASSIGNMENT (full or partial): Provide name of Assignee in Item For partial assignment, complete items 7 and 9 and also indicate a			of Assignor	in item 9	
CONTINUATION: Effectiveness of the Financing Statement ider continued for the additional period provided by applicable law	ntified above with respect	to the security interest(s) of Sec	ured Party	authorizing this Continua	tion Statement is
PARTY INFORMATION CHANGE:			-	<del></del>	
_	Check one of these three bo				
This Change affects Debtor or Secured Party of record	CHANGE name and/or a item 6a or 6b; <u>and</u> item 7		ne: Complet , <u>and</u> item 7c	to be deleted in	: Give record nam item 6a or 6b
CURRENT RECORD INFORMATION: Complete for Party Information	ion Change - provide only	one name (6a or 6b)			
6a. ORGANIZATION'S NAME					
R 6b. INDIVIDUAL'S SURNAME	FIRST PERSON	AL NAME	ADDITIO	VAL NAME(S)/INITIAL(S)	SUFFIX
CHANGED OR ADDED INFORMATION: Complete for Assignment or Pa 7a. ORGANIZATION'S NAME	rty Information Change - provide i	only <u>one</u> name (78 or 70) (use exact, tus n	ane, condition	nt, mounty, or accoreviate any pari	or the Deplor's haire
NATIONSTAR MORTGAGE LLC					
7b. INDIVIDUAL'S SURNAME					
INDIVIDUAL'S FIRST PERSONAL NAME					
i					SUFFIX
(NDIVIDUAL'S ADDITIONAL NAME(S)/INITIAL(S)					
INDIVIDUAL'S ADDITIONAL NAME(S)/INITIAL(S)					
individual's additional name(s)/initial(s)  MAILING ADDRESS  1950 CYPRESS WATERS BLVD	СОРРЕ		STATE	POSTAL CODE 75019	COUNTRY

Exhibit 4d

11. I <b>2(</b>	NITIAL FINANCING STATEMENT FILE NUMBER: 008000085182 Filed 3/3/008	Same as item 1a on Amen	dment form			
	NAME OF PARTY AUTHORIZING THIS AMENDMENT	NT: Same as item 9 on Ar	mendment form			
	12a. ORGANIZATION'S NAME HSBC BANK USA, N.A.					
OR	12b, INDIVIDUAL'S SURNAME			_		
	FIRST PERSONAL NAME			-		
	ADDITIONAL NAME(S)/INITIAL(S)		SUFFIX	THE ABOVE	SPACE IS FOR FILING OFFICE	USE ONLY
	Name of DEBTOR on related financing statement (None Debtor name (13a or 13b) (use exact, full name; do not			dexing purposes only in	some filing offices - see Instruction ite	
	13a. ORGANIZATION'S NAME	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
	13b. INDIVIDUAL'S SURNAME  Murray		RST PERSONAL NAM	E	ADDITIONAL NAME(S)/INITIAL(S)	SUFFIX
	ADDITIONAL SPACE FOR ITEM 8 (Collateral):		, cuii			l
16.	This FINANCING STATEMENT AMENDMENT:  covers timber to be cut covers as-extracted coll  Name and address of a RECORD OWNER of real estate de  (if Debtor does not have a record interest):		fixture filing 35-21	ription of real estate: 79th Street, Un son Heights, NY		·
18.	MISCELLANEOUS. SBC #: PHH #:	Investor #:		·		

#### Exhibit 5a

# NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



2018020700211001001ECD74

RECORDING AND ENDORSEMENT COVER PAGE

Document Date: 03-03-2008

PAGE 1 OF 4

Document ID: 2018020700211001

Document Type: UCC3 ASSIGNMENT

Document Page Count: 2

Preparation Date: 02-07-2018 COOPERATIVE WITH ADDENDUM

#### PRESENTER:

NATIONWIDE TITLE CLEARING INC.

2100 ALT 19 NORTH

PALM HARBOR, FL 34683 SUPPORT@SIMPLIFILE.COM

#### RETURN TO:

NATIONSTAR MORTGAGE LLC

C/O NATIONWIDE TITLE CLEARING, INC. 2100 ALT.

19 N ORTH

PALM HARBOR, FL 34683 SUPPORT@SIMPLIFILE.COM

**Borough** OUEENS Block Lot

1279

PROPERTY DATA Unit Address

58 Entire Lot 4E

35-21 79TH STREET

Property Type: SINGLE RESIDENTIAL COOP UNIT

## CROSS REFERENCE DATA

CRFN:

SEAN MURRAY

2008000085182

DEBTOR:

35-46 74TH STREET, APT. 226 JACKSON HEIGHTS, NY 11372

## **PARTIES**

**ISECURED PARTY:** 

NATIONSTAR MORTGAGE LLC

4000 HORIZON WAY IRVING, TX 75063

#### ✓ Additional Parties Listed on Continuation Page

		LEES WILL
Mortgage :		
Mortgage Amount:	\$	0.00
Taxable Mortgage Amous	nt: \$	0.00
Exemption:		
TAXES: County (Basic)	: \$	0.00
City (Additiona	al): \$	0.00
Spec (Addition	nal): \$	0.00
TASF:	\$	0.00
MTA:	\$	0.00
NYCTA:	\$	0.00
Additional MR	T: \$	0.00
TOTAL:	\$	0.00
Recording Fee:	\$	40.00
Affidavit Fee:	\$	0.00

## FEES AND TAXES

	Filing Fee:	
_ i	\$	0.00
	NYC Real Property Transfer Tax:	
	\$	0.00
	NYS Real Estate Transfer Tax:	
	\$	0.00
	<u> </u>	

RECORDED OR FILED IN THE OFFICE

CONTROL

CONTRO

CITY OF NEW YORK

CITY OF NEW YORK
Recorded/Filed 02-07-2018 10:45

City Register File No.(CRFN): 2018000045046

annette M Llill

City Register Official Signature

Case 1-17-44157-ess Doc 52 Filed 04/05/18 Entered 04/05/18 13:42:29

Exhibit 5b

## NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER



RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION)

PAGE 2 OF 4

Document ID: 2018020700211001

Document Date: 03-03-2008 Document Type: UCC3 ASSIGNMENT

Preparation Date: 02-07-2018

**PARTIES** 

**NEW SECURED PARTY:** 

SPECIALIZED LOAN SERVICING, LLC 8742 LUCENT BLVD STE 300 HIGHLANDS RANCH, CO 80129

			Exhibi	t 5c	
CC FINANCIN	G STATEMENT AMENDME	ENIT			
	S (front and back) CAREFULLY	m14 t			
NAME & PHONE OF	CONTACT AT FILER [optional]				
Dave LaRose (800	<u> </u>	The same of the same same same same same same same sam			
SEND ACKNOWLED	GNENT TO: (Name and Address)				
Nationwide T	-				
2100 Ait 19 No					
Palm Harbor, 1 0635159916~1	7L 34663 DO2 NSBTA NY Queens				
	s: 1279 Lot: 58 Unit: 4E	,			
. 344 (11) (11)					
	T 10393 INITH LESSET SONN SEESES CONT.		VE 0040E 10 F0	DEL MID OFFICE LIST	D14 1/2
INITIAL FINANCING STA	TEMENT FILE#	THE ABO		R FILING OFFICE USE S. FINANCING STATEMENT.	
	182 Date: 03/03/2008		to l	ne filed [for record] (or record AL ESTATE RECORDS.	
TERMINATION: E	Rectiveness of the Financing Statement identified ab	ovo is terminated with respect to security interesti			on Statement.
	Effectiveness of the Financing Statement identified	above with respect to security interest(s) of the	Secured Party auth	orizing this Continuation Sta	tement is.
	itional period provided by applicable law				
	or partial): Give name of assignee in item 7a or 7b				<del> </del>
•	"Y INFORMATION): This Amendment affects owing three boxes and provide appropriate information	Debtor <u>of</u> Secured Party of record. Checom in items 6 and/or 7.	ck only <u>one</u> of these	two boxes.	
CHANGEname and/o	raddress: Please refer to the detailed instructions the name/address of a party	DELETE name: Give record name to be deleted in item 6a or 6b.	ADD	name: Complete item 7a or 7b,	and also item 7c;
CURRENT RECORD II	· · · · · · · · · · · · · · · · · · ·	To be desired at usin by the op.	i aisoc	Onlyiele terrs re-ro in applica	iole).
6a. ORGANIZATION'S	NAME				
8b. INDIVIDUAL'S LAS	T NAME	FIRST NAME	TMIDDLE	KIANA	SUFFIX
MURRAY	NAME		MICHALE	NAME	SUPPIA
CHANGED INEWA OR	ADDED INFORMATION:	SEAN			
7a. ORGANIZATION'S	NAME				
SPECIALIZED L	DAN SERVICING LLC				
7b. INDIVIDUAL'S LAS	TNAME	FIRST NAME	MIDDLE	NAME	SUFFIX
111111111111111111111111111111111111111			OTAYE	Togoth copy	OCH BITTON
MAILING ADDRESS		CITY AND DAMON	STATE	POSTAL CODE	COUNTRY
3742 LUCENT BLVD. SEEINSTRUCTIONS	STE. 300 ADDILINFO RE 76: TYPE OF ORGANIZATION	HIGHLANDS RANCH  75. JURISDICTION OF ORGANIZATION	7g. ORG	80129 SANIZATIONAL ID #, If any	USA
	ORGANIZATION DEBTOR			, ,	NO
AMENDMENT (COL	ATERAL CHANGE); check only one box.				INO
	eleted or added, or give entire restated co	ollateral description, or describe collateral	ssigned.		
			-		
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252125					
	D PARTY OF RECORD AUTHORIZING THIS  e authorizing Debtor, or if this is a fermination author			s an Amendment authorized : orizing this Amendment,	by a Debtor which
9a. ORGANIZATION'S					
NATIONSTAR MOR	TGAGE LLC				
96. INDIVIDUAL'S LAS	TNAME	FIRST NAME	MIDDLE	NAME	SUFFIX
O OPTIONAL FILER REFE	RENCEDATA:	FAN MIRRAY			_

Exhibit 5d

UCC FINANCING STATEMENT AMENDMENT ADDEN	DUM
11. INITIAL FINANCING STATEMENT FILE # (same as item 1a on Amendment form)	arranti-sautes
Instr#: 2008000085182 Date: 03/03/2008  12. NAME OF PARTY AUTHORIZING THIS AMENDMENT (same as item 9 on Amendment for	lori
12a. ORGANIZATION'S NAME NATIONSTAR MORTGAGE LLC	····
·	
OR 12b INDIVIDUAL'S LAST NAME FIRST NAME MICDLE NA	ME, SUFFIX
,	
13. Use this space for additional information	
	the above space is for filing office use only

Secured Party Address: 8950 CYPRESS WATERS BLVD, COPPELL, TX 75019

Record Owner Name:
235-21 79TH STREET TENANTS CORP.
35-21 79TH STREET
JACKSON HEIGHTS, NY 11372 - USA

Debtor SEAN MURRAY Case 1-17-44157-ess Doc 52 Filed 04/05/18 Entered 04/05/18 13:42:29

Exhibit 6a



8742 Lucent Boulevard a Suite 300 a Highlands Ranch, CO 80129

800-315-4757

720-241-7218

March 22, 2018

Sean Murray 28 E. Main St., Ste. 1800 Rochester, NY 14614

Re:

ь.

SLS Loan No.: CFPB Case No.:

Property Address:

9508

180307-2924930 3521 79<sup>th</sup> St., 4E

3521 /9" St., 4E

Jackson Heights, NY 11372

Dear Mr. Murray,

We are writing in response to a dispute that you filed with the Consumer Financial Protection Bureau ("CFPB") with regard to the servicing of the above-referenced mortgage loan account. We understand that by filing a dispute with the CFPB, you have authorized us to upload a copy of our response to the CFPB website. We further understand that you are requesting the CFPB to assist you with your request for loss mitigation assistance on the account and with your request for a cancellation of a scheduled foreclosure sale.

Specialized Loan Servicing LLC ("SLS") is a third-party mortgage loan servicer. The servicing of the mortgage loan account transferred to SLS on December 18, 2017. At that time, the account was due for the September 1, 2014 contractual monthly payment. For informational purposes, the account is currently due for the September 1, 2014 contractual monthly payment and each consecutive contractual monthly payment due thereafter.

Due to the severity of the delinquency, the account was referred for foreclosure on June 15, 2015. Our records reflect the scheduled foreclosure sale was cancelled.

We understand the account was included in a Chapter 7 bankruptcy that was discharged on December 8, 2017. SLS is obligated under federal bankruptcy law to comply with the requirements of the mandatory discharge injunction. Accordingly, the information contained in this letter is for informational purposes and is not an attempt to collect a debt or impose personal liability with respect to any portion of the debt that may be discharged.

Our records reflect that this account is involved in litigation, including a pending hearing on an Application for an Order to Show Cause that is scheduled for April 5, 2018. As the account is currently involved in litigation SLS will provide an answer to the alleged issues raised in the correspondence to the CFPB through the judicial process.

Enclosed please find copies of the Note, Security Agreement, and SLS payment history.

In your correspondence, you also requested information concerning the original and current creditor of the loan. That information is below:

Original Creditor:

HSBC Mortgage Corporation (USA)

2929 Walden Avenue Depew, NY 14043 Case 1-17-44157-ess Doc 52 Filed 04/05/18 Entered 04/05/18 13:42:29

Exhibit 6b



**Current Creditor:** 

Federal Home Loan Mortgage Corporation ("FHLMC") 8200 Jones Branch Drive

McLean, VA 22102

As SLS is the servicer of the loan on behalf of the current creditor, correspondence regarding this loan will be handled by SLS.

If you have any additional questions regarding this matter, please contact Executive Services toll free at 1-800-268-9956, Monday through Friday, 6:00 a.m. until 6:00 p.m. MT. SLS accepts calls from relay services on behalf of hearing-impaired borrowers.

Sincerely, Sheila Sheila ID #23137 Specialized Loan Servicing LLC

Enclosure(s)

cc: Consumer Financial Protection Bureau

SPECIALIZED LOAN SERVICING LLC IS REQUIRED BY FEDERAL LAW TO ADVISE YOU THAT THIS COMMUNICATION IS FROM A DEBT COLLECTOR.

BANKRUPTCY NOTICE - IF YOU ARE A CUSTOMER IN BANKRUPTCY OR A CUSTOMER WHO HAS RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT: PLEASE BE ADVISED THAT THIS NOTICE IS TO INFORM YOU OF THE STATUS OF THE MORTGAGE SECURED BY THE SUBJECT PROPERTY. THIS NOTICE CONSTITUTES NEITHER A DEMAND FOR PAYMENT NOR A NOTICE OF PERSONAL LIABILITY TO ANY RECIPIENT HEREOF, WHO MIGHT HAVE RECEIVED A DISCHARGE OF SUCH DEBT IN ACCORDANCE WITH APPLICABLE BANKRUPTCY LAWS OR WHO MIGHT BE SUBJECT TO THE AUTOMATIC STAY OF SECTION 362 OF THE UNITED STATES BANKRUPTCY CODE. IF YOU RECEIVED A DISCHARGE OF THE DEBT IN BANKRUPTCY, WE ARE AWARE THAT YOU HAVE NO PERSONAL OBLIGATION TO REPAY THE DEBT. WE RETAIN THE RIGHT TO ENFORCE THE LIEN AGAINST THE COLLATERAL PROPERTY, WHICH HAS NOT BEEN DISCHARGED IN YOUR BANKRUPTCY, IF ALLOWED BY LAW AND/OR CONTRACT. IF YOU HAVE QUESTIONS, PLEASE CONTACT US AT 1-800-306-6057.

Exhibit 7a

# FEIN, SUCH & CRANE, LLP

## Northern New York Office 28 East Main Street, Suite 1800 Rochester, New York 14614 585-232-7400

Direct Fax: 585-756-5201 (Evictions/Contested Litigation) (fax not for service of papers)
Direct Fax: 585-756-5200 (Settlement Conferences) (fax not for service of papers)

August 14, 2015

Sean Murray 35-21 79<sup>th</sup> Street Jackson Heights, New York 11372

Re: Murray, Sean

Property Address: 35-21 79th Street, Jackson Heights, New York 11372

Loan Servicer: HSBC Consumer Lending Mortgage Services

Loan Number: \*\*\*\*\*5176 File Number: QPHNC263

## Dear Sir or Madam:

Pursuant to your demand for verification of the debt, below is the current amount due with regard to the above-referenced mortgage. Since this matter was forwarded to our office for legal representation on this matter, there have been additional charges incurred.

## Total amount currently due through August 14, 2015:

Principal Balance	\$168,282.10
Interest	10,238.68
Late Charges	520.65
Insufficient Funds Fee	20.00
Co-Op Charges Paid	16,793.81
Attorney Fee	240.00

Total Amount Due \$196,095.24

The debt is hereby validated. Additional interest, charges, disbursements and fees recoverable under the Note and/or Mortgage are likely to accrue and/or continue to accrue.

Federal Law requires us to notify you that we are acting as a debt collector, in an attempt to collect a debt. All information will be used for that purpose.

If you are currently in a bankruptcy or have received a discharge in bankruptcy as to this obligation, this communication is intended for informational purposes only

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Exhibit 7b

and is not an attempt to collect a debt in violation of the automatic stay or the discharge injunction.

Please be advised that this and any further communication will not stay the proceeding of this action unless notified in writing by lender or its counsel, or unless stayed by operation of law.

Very truly yours, Fein, Such & Crane, LLP

SEAN MICHAEL MURRAY ESTATE c/o 3521 79TH ST APT 4E JACKSON HEIGHTS NEW YORK, U.S.A.

Thursday, September 10, 2015

Miranda L. Sharlette, Esq. FEIN, SUCH & CRANE, LLP Attorneys At Law 28 East Main Street, Suite 1800 Rochester, New York 14614 Registered Mail # RE 115 859 867 US

DONALD H. LAYTON CEO FREDDIE MAC 8200 Jones Branch Drive McLean, VA 22102 Certified Mail # 7014 2870 0002 0398 3190

PATRICK J. BURKE PRESIDENT AND CEO HSBC BANK U.S.A., NA 1800 Tysons Boulevard Suite 50 McLean, VA 22101 Certified Mail # 7014 2870 0002 0398 3206

GLEN A. MESSINA
PRESIDENT AND CEO
PHH CORPORATION
1 Mortgage Way
Mount Laurel, NJ 08054
3000 Leadenhall Road
Mount Laurel, New Jersey 08054

Certified Mail # 7014 2870 0002 0398 3213

NOTICE OF ERROR LOAN/ACCOUNT NUMBER(S) 1268; 176
NOTICE OF VIOLATIONS OF 15 U.S. Code § 1692g - Validation of debts
ORDER TO CEASE AND DESIST DEBT COLLECTION AND ISSUE RELEASE OF OBLIGATION

SEAN MICHAEL MURRAY ESTATE c/o 3521 79774 ST APTAE JACKSON HEIGHTS NEW YORK, U.S.A.

- 1. I am in receipt of your unsigned correspondence received September 6th, 2015, postmarked August 19th, 2015 by Fein, Such, & Crane, LLP and Miranda L. Sharlette, Esq.
- August 3rd 2015 I sent a Certificate of Estoppel (Registered Mail # RE 365 402 908 US) due to the failure to timely respond to my July 1st 2015 request for validation (Registered Mail # RE 365 402 899 US).
- 3. Upon review, I have found deficiencies and do not consider the alleged debt validated due to fraudulent misrepresentations and omissions representing a violation of 15 U.S. Code § 1692g Validation of debts.
- 4. Fein, Such, & Crane, LLP and Miranda L. Sharlette, Esq. have failed to provide a letter from the alleged original creditor granting authority to collect on a debt or evidence of my consent to disclosure of personal or financial information to third parties..
- 5. I hereby notice all parties in the matter of my adverse claim in recoupment of all right(s), title(s), interest(s) and or proceeds in the account(s) and property in question.
- 6. The continued actions of HSBC MORTGAGE CORPORATION and its agents or assignees represent conversion of property and other economic relations torts with the potential for injury to the person and property of SEAN MICHAEL MURRAY.
- 7. However, in good faith, I will conditionally accept the validity of the alleged debt and agree to pay the obligation in exchange for the original instrument of indebtedness and upon proof of claim of the following:
  - a. HSBC MORTGAGE CORPORATION has verifiable legal standing evidenced by an authenticated assignment or original wet ink note or instrument of indebtedness.
  - b. Public Regulatory or IRS filings will not clearly demonstrate fraud on the part of HSBC MORTGAGE CORPORATION and its agents or assigns with respect to claims of right, title or interest in SEAN MICHAEL MURRAY's property.
  - c. All tax obligations arising from the alleged instrument of indebtedness have been met by parties claiming any right, title or interest in account numbers 1268; 1268; 5176 or in the person or property of SEAN MICHAEL MURRAY.
- 8. Per the terms of the fee schedule (Registered Mail # RE 365 402 899 US) attached to continued correspondence with FEIN, SUCH, & CRANE, LLP, I am attaching a invoice and true bill, herein incorporated by reference, for \$2000.00.
- 9. Non-response within 10 days of receipt will serve to certify as tacit acquiescence and agreement to facts contained herein.
- 10. All errors and omissions are excepted.

SEAN MICHAEL MURRAY ESTATE c/o 3521 79**EMISIDAPT #E** JACKSON HEIGHTS NEW YORK, U.S.A.

Notification of legal responsibility is "the first essential of due process of law". See also: U.S. v.Tweel, SSO F.2d.297. "Silence can only be equated with fraud where there is a legal or moral duty to speak or when an inquiry left unanswered would be intentionally misleading."

All rights are reserved in accord with:

UCC § 1-308. Performance or Acceptance Under Reservation of Rights.

28 U.S. Code § 1746 (1) - Unsworn declarations under penalty of perjury

I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on Thursday, September 10, 2015.

Murjay, Sean Michael,

office of executor

SEAN MICHAEL MURRAY ESTATE

JURAT

State of California	.)
	) Scilicet
County of Alameda	3

SUBSCRIBED AND SWORN TO (or affirmed) before me this Thursday, September 10, 2015, Murray, Sean Michael proved to me on the basis of satisfactory evidence to be the man who appeared before me.

Signature







# STATE OF NEW YORK OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN ATTORNEY GENERAL

DIVISION OF ECONOMIC JUSTICE
BUREAU OF CONSUMER FRAUDS & PROTECTION

September 23, 2015

Sean Michael Murray c/o 3521 79th Street Apt. 4E Jackson Heights, NY 11372

> Our File Number: 2015-1248981 Company: Fein Such & Crane LLP

Dear Sean Michael Murray:

On behalf of Attorney General Eric T. Schneiderman, I am writing to notify you that we have received and reviewed your complaint.

It is the policy of the Attorney General's Bureau of Consumer Frauds and Protection to intervene in an individual consumer dispute if we believe our mediation might help bring about a resolution. I am forwarding a copy of your complaint to the company to request a statement of their position and a possible adjustment.

If you wish to contact us, please do so in writing. Be sure to mention our file number and the full name of the company. Please understand that we cannot serve as a consumer's private attorney.

I hope our efforts are successful. I will contact you again when there are developments to report.

very truly yours,

Elizabeth Rodgers

Bureau of Consumer Frauds

And Protection

PLEASE INCLUDE ABOVE FILE NUMBER ON ALL CORRESPONDENCE



c/o PHH Mortgage Corporation 2001 Bishops Gate Blvd. Mount Laurel, NJ 08054 Exhibit 7g Tel 866-435-7085 Fax 856-917-8003

September 29, 2015

Sean Murray 35-21-79<sup>th</sup> Street, Apt. 4E Jackson Heights, NY 11372

Re: Case Number: 2015-1248981

Mortgage Loan Number:

Dear Mr. Murray:

Your correspondence has been received by our Office of the President via the Office of the Attorney General.

We appreciate the opportunity to address your questions and concerns. Once we have completed a thorough review of the issues raised, we will prepare a response by October 13, 2015. If an extension is required, we will contact you to provide an update.

We thank you for your business and look forward to providing you with the highest level of service. If you have any additional questions, please contact me at 866-435-7085, ext. 85850. My business hours are Monday through Friday, 8:30AM - 5:00PM, Eastern.

Sincerely,

Heather Kranick

Heather Kranick
Liaison, Office of the President
PHH Mortgage Corporation (as servicing agent for HSBC)



Tel 866-435-7085 Exhibit 7h 856-917-8003

c/o PHH Mortgage Corporation 2001 Bishops Gate Blvd. Mount Laurel, NJ 08054

October 2, 2015

Sean Murray 35-21-79<sup>th</sup> Street, Apt. 4E Jackson Heights, NY 11372

Re: Case Number: 2015-1248981

Mortgage Loan Number:

5176

Dear Mr. Murray:

We appreciate your patience while we continue our investigation concerning your correspondence dated September 29, 2015.

Your concerns are very important to us and HSBC Bank USA, N. A. is committed to conducting a thorough review of all information before issuing our written response. You can expect to receive our written response within 15 business days of the date of this letter. We will contact you with an update if additional time is required.

Please be assured our research is ongoing and we are taking every step to resolve this matter expeditiously. If you have any additional questions, please contact me at 866-435-7085, ext. 85850. My business hours are Monday through Friday, 8:30AM – 5:00PM, Eastern.

Sincerely,

Heather Kranick

Heather Kranick Liaison, Office of the President PHH Mortgage Corporation (as servicing agent for HSBC) Case 1-17-44157-ess Doc 52 Filed 04/05/18 Entered 04/05/18 13:42:29

HSBC (X)

1 Mortgage Way Mt. Laurel NJ 08054

Tel 866-435-7085 Fax 856-917-8003

Exhibit 7i

October 19, 2015

Re: 5176

Sean Murray 35-21 79TH STREET 4E JACKSON HEIGHTS NY 11372

Dear Customer(s):

Our records indicate that we were recently notified of an update to your mailing address. This letter is to confirm the mailing address has been updated to reflect the following:

ATTN: COMPLEX TEAM SV01 1 MORTGAGE WAY MOUNT LAUREL, NJ 08054

If this change is not correct or if you did not authorize it, please contact our Customer Service Department at the number referenced above between the hours of 9:00 AM to 8:00 PM Monday through Friday.

We appreciate your business.

Sincerely,

David Bench Director of Customer Service

/CS020



c/o PHH Mortgage Corporation 2001 Bishops Gate Blvd. Mount Laurel, NJ 08054 Exhibit 7j

Tel 866-435-7085 Fax 856-917-8003

October 20, 2015

Elizabeth Rodgers
Office of the Attorney General
Bureau of Consumer Frauds and Protection
120 Broadway
New York, NY 10271

Re:

File No: 2015-1248981/ Sean Michael Murray

Loan #: 5176

Property Address: 35-21 79th 4E, Jackson Heights, NY 11372

Dear Ms. Rodgers,

We have been made aware of the complaint filed with the Attorney General's Bureau of Consumer Frauds and Protection. Effective May 1, 2013, HSBC Bank USA, N.A. transferred the servicing of Mr. Murrays account to PHH Mortgage Corporation ("PHHMC").

Please find our response to the request enclosed. Additionally, we have placed a cease and desist on the account as requested. Should you have any additional concerns or questions, please contact me directly at 866-435-7085, extension 85850 between the hours of 8:30 AM and 5:00 PM (Eastern).

Yours sincerely,

Heather Kranick

Heather Kranick Liaison, Office of the President PHH Mortgage Corporation (as servicing agent for HSBC)

Enclosure

cc: Sean Michael Murray



LexisNexis Consumer Center

Case Number: 1689445-1806470473

Exhibit 8a

August 22, 2017

SEAN MICHAEL MURRAY PO BOX 1110 ALBANY, NY 12201

RE: Benefit Assessment Consumer Disclosure Report

Dear Sean Murray.

Thank you for requesting your LexisNexis Risk Solutions Bureau LLC ("LexisNexis") Benefit Assessment Consumer Disclosure report. Your disclosure report from LexisNexis contains information associated with you in our Benefit Assessment file, and a listing of companies, that requested your file in the last 12 months.

If you have any further questions, you may contact the LexisNexis Consumer Center via email at consumer documents@LexisNexis.com or by phone at 877-497-2621. The LexisNexis Consumer Center's hours of operation are Monday — Friday from 8:00 A.M. to 7:00 P.M. Eastern time. In an effort to protect your privacy and deliver prompt service, please have your Case Number (located at the top of this letter) accessible when you call our support number.

Thank you for giving us the opportunity to assist you.

LexisNexis Consumer Center Attn: Benefit Assessment P.O. Box 105108 Atlanta, GA 30348-5108

Page 1

CD362-04-17b

Reference Number: N/A Consumer Number: 10930635

Case Number: 80249075 Exhibit 8b Document Date: 8/22/2017

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Phone	(917) 330-9284	Listed Name		City, State, Zip
Date First / Last Seen	08/16/06 / 06/13/12	Record Source	INFUTOR DATA SOLUTIONS	
Phone	(917) 330-9284	Listed Name		City, State, Zip
Date First / Last Seen	08/18/06 / 06/13/12	Record Source	INFUTOR DATA SOLUTIONS	
Phone	(917) 330-9284	Listed Name		City, State, Zip
Date First / Last Seen	07/09/06 / 08/13/12	Record Source	INFUTOR DATA SOLUTIONS	
Phone	(917) 330-9284	Listed Name		City, State, Zip
Date First / Last Seen	07/09/06 / 06/13/12	Record Source	INFUTOR DATA SOLUTIONS	
Phone	(917) 330-9284	Listed Name		City, State, Zip
Date First / Last Seen	07/09/06 / 06/13/12	Record Source	INFUTOR DATA SOLUTIONS	The state of the s
Phone	(917) 330-9284	Listed Name		City, State, Zip
Date First / Last Seen	07/09/06 / 07/13/11	Record Source	INFUTOR DATA SOLUTIONS	
Phone	(518) 316-1001	Listed Name		City, State, Zip
Date First / Last Seen	10/01/09 / 05/24/11	Record Source	INFUTOR DATA SOLUTIONS	1
Phone	(917) 330-9284	Listed Name		City, State, Zip
Date First / Leat Seen	07/09/06 / 08/20/08	Record Source	INFUTOR DATA SOLUTIONS	
Phone	(917) 330-9284	Listed Name		City, State, Zip
Date First / Last Seen	07/09/06 / 07/09/06	Record Source	INFUTOR DATA SOLUTIONS	

## **Professional License Records**

This section contains public record information regarding professional licenses obtained in your name. Not all states and counties are available. Professional license records include historical license issuance. Not all professional license types and jurisdictions are currently updating. As such, this information should not be used as an indication of current licensing status. Last Seen date refers to the time period in which a source last provided information related to the filing and not necessarily the time period within which you were last associated with the professional license.

Name		Address	1 MORTGAGE WAY, MOUNT LAUREL, NJ 08054				
License Type	LO	Professional or Board		Issue/Renewal Date			
License Number		Expiration Date		Date Last Seen			
Record Source	ARKANSAS SECURITIES DEPARTMENT						

## **Sexual Offender Registry Records**

No Records Found

## **Short-Term Credit Offer Request Records**

No Records Found

## **SSN Records**